

FILED

NOV 16 2016

U.S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
NATHAN BARCZEWSKI, )  
 )  
Defendant. )

Case No.

**4:16CR494 RLW/JMB**

**INDICTMENT**

**COUNT I**

The Grand Jury charges that:

Between on or about July 2014 and continuing through on or about May 2016, with the exact dates unknown, in St. Louis County within the Eastern District of Missouri and elsewhere,

**NATHAN BARCZEWSKI,**

the Defendant herein, did devise a scheme and artifice to defraud his employer of money and valuable property by requesting unneeded fuel advances for trucking companies with which Defendant's employer was doing business. Defendant's false and fraudulent fuel advance requests caused a financial institution with which Defendant's employer had an account to draw on that account and generate a check which Defendant intercepted and cashed through an associate. Defendant kept the proceeds of these intercepted checks which totaled approximately \$135,000 during the life of the scheme. Because these fraudulent fuel advances accrued as a received from the vendor to the Defendant's employer on the employer's books, Defendant needed to request subsequent checks to be mailed to the vendors involved to retire those receivables. Accordingly, in furtherance of and to carry out an essential step of this same scheme, the Defendant did use and cause to be used the U.S. Mail.

In violation of Title 18, United States Code Section 1341.

**FORFEITURE ALLEGATION**

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 18, United States Code, Sections 981(a) and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 18, United States Code, Section 1341 as set forth in this Indictment, the defendant shall forfeit to the United States of America any property, real or personal, constituting or derived from any proceeds traceable to such violation(s).

2. Subject to forfeiture is a sum of money equal to the total value of any property, real or personal, constituting or derived from any proceeds traceable to such violation(s).

3. If any of the property described above, as a result of any act or omission of the defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without

difficulty, the United States of America will be entitled to the forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL

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FOREPERSON

RICHARD G. CALLAHAN  
United States Attorney

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Thomas C. Albus, #46224MO  
Assistant United States Attorney